September 23, 2013

UNITED STATES BANKRUPTCY COURT FOR SOUTHERN DISTRICT OF NEW YORK THE CHAMBERS OF THE HONORABLE MARTIN GLENN ONE BOWLING GREEN/
NEW YORK, NEW YORK 10004
COURTROOM 501

Reference: RESIDENTIAL CAPITAL LLC, et al (CASE #12-12020 (MG))

DEBTORS' OMNIBUS REPLY IN SUPPOR OF DEBTOR'S TWENTY-SIXTH AND TWENTY-SEVENTH OMNIBUS CLAIMS OBJECTIONS TO BORROWER CLAIMS WITH INSUFFICIENT DOCUMENTATION FILED 9/20/2013

Docket No. 4918

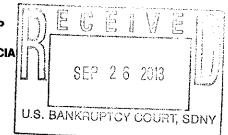
### (CLAIMANTS RECEIVED COPY OF DOCUMENT 9/23/2013 VIA FEDERAL EXPRESS)

cc: MORRISON & FOERTSTER LLP
KRAMER LEVIN NAFTALIS & FRANKEL LLP

Claimant: ZENAIDA R. VALENCIA AND ROLANDO H. VALENCIA

Claim # **2869** - (Secured) \$127,257.19- Mortgage Note Claim #**2872** - (Secured) \$178,160.67 - Mortgage Note Claim #28**74** - (Secured) \$260,308.94 - Mortgage Note

To Whom It May Concern:



We are **still opposing** the expungement, and/or disallowance of our claims. We disagree with the objection. Claims #2869 and 2872 are mortgage loans originated and serviced by GMAC Mortgage since December 20, 2002 until May 14, 2012 when Res Cap, LLC filed Bankruptcy Chapter 11 until the loans were transferred to Green Tree Servicing (the current servicer). Claim #2874 is another mortgage loan that GMAC originated and serviced the loan on April 25, 2003 until May 14, 2012 when Res Cap LLC filed Bankruptcy Chapter 11 until loan was transferred to Green Tree Serving (the current servicer).

We responded within the 30 days notification from Res Cap LLC regarding the additional documents that we failed to include when the Proof of Claims were filed. The Evidence of Perfection of our claims which is the Mortgage (Deed of Trusts) were sent to Res Cap, LLC Claims Management, Bloomingfield, Minnesota . Res Cap, LLC advised that, if the additional documents were not received in their office by June 20, 2013, our claims will be objected and expunged. The additional copies of documents that we sent were received in their office on June 19, 2013 at 8:58 a, m. A print out of the e-mail we received from Claims. Management@gmac.rescap.com was included with the copies of documents we provided to your office when we filed the objection of our claims. Copies of the documents were also sent to Morrison & Foerster LLP and Kramer and Levin Naftalis & Frankel LLP via express mail .

We just received via Federal Express from Kurtzman Carson Consultants KCC/EI Segundo, CA copy of the DEBTORS' OMNIBUS REPLY IN SUPPORT OF DEBTORS' TWENTY-SIXTH AND TWENTY-SEVENTH OMNIBUS CLAIMS OBJECTIONS TO BORROWER CLAIMS WITH INSUFFICIENT DOCUMENTATION filed 9/20/13 that the Debtors are submitting to the court that the relief sought in the Objection should be granted. Per MORRISON & FOERSTER LLP we failed to respond and provide the additional documents to Res Cap LLC within the time frame that they gave us. This is incorrect.

In regards to our claim # 2874, we are <u>not asserting</u> the interest rate of the Mortgage Note. We double checked the Note rate. The rate is correct. We apologize for this error on our part.

We are requesting the court to please re-review our claims. If you have any questions, please contact us at (619) 710-0697.

12-12020-mg Doc 5235 Filed 09/26/13 Entered 09/30/13 10:50:48 Main Document Pg 2 of 27

Sincerely,

Zenaida R. Valencia

12-12020-mg Doc 5235 Eiled 09/26/13 Entered 09/30/13 10:50:48 Main Document 12-12020-mg Doc 5130 Filed 09/20/13<sub>g</sub> 3Entered 09/20/13 11:33:08 Main Document Pg 1 of 5

Hearing Date: September 24, 2013 at 10:00 a.m. (ET)

MORRISON & FOERSTER LLP 1290 Avenue of the Americas New York, New York 10104 Telephone: (212) 468-8000 Facsimile: (212) 468-7900 Gary S. Lee Norman S. Rosenbaum Jordan A. Wishnew Jonathan M. Petts

Counsel for the Debtors and Debtors in Possession

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	
In re:	Case No. 12-12020 (MG)
RESIDENTIAL CAPITAL, LLC, et al.,	Chapter 11
Debtors.	Jointly Administered
)	

DEBTORS' OMNIBUS REPLY IN SUPPORT OF DEBTORS' TWENTY-SIXTH AND TWENTY-SEVENTH OMNIBUS CLAIMS OBJECTIONS TO BORROWER CLAIMS WITH INSUFFICIENT DOCUMENTATION

12-12020-mg Doc 5130-1 Filed 09/20/13 Entered 09/20/13 11:33:08 Exhibit 1 Pg 2 of 4

Pg 4 of 27		
Zenaida R. Valencia and Ronaldo H. Valencia (Claim Nos. 2869, 2872 and 2874)	Twenty-Seventh Omnibus Claims Objection	CLAIMANT & PROOF OF CLAIM NO.
Response of Zenaida R. Valencia and Rolando H. Valencia to Debtors' Twenty-Seventh Omnibus Objection to Claims (Borrower Claims with Insufficient Documentation)	aims Objection	RESPONSE
4918		DOCKET NO.
The Claimants have filed three proofs of claims against the Debtors, each relating to a mortgage note for a separate property. The stated basis of each proof of claim is "mortgage note." Each proof of claim attaches a copy of the Claimants' GMACM account statement and a copy of the relevant mortgage note.  The Response characterizes the basis of each proof of claim as "GMAC Mortgage originated and serviced the loan," and attaches additional loan-related documentation. However, the Response, as it relates to Claim Nos. 2869 and 2872, does not explain why the Debtors owe the Claimants money. With respect to Claim No. 2874, the Claimants assert that their current 5.125% interest rate on the mortgage at issue is greater than the 5.0% interest rate stated in the mortgage note. In fact, however, the mortgage note attached by the Claimants in connection with Claim No. 2874 states an interest rate of 5.125%.		COMMENTS

Residential Capital, LLC (ResCap) and its affiliated debtors and debtors in possession (collectively, the "Debtors") in the above-captioned chapter 11 cases (the "Chapter 1 Cases") hereby submit this omnibus reply (the "Reply") to certain responses, objections, and oppositions (collectively, the "Responses") interposed by those claimants (collectively, the "Claimants"), listed on Exhibit 1 annexed hereto, to the Debtors' Twenty-Sixth Omnibu Objection to Claims (Borrower Claims with Insufficient Documentation) [Docket No. 4734] and Debtors' Twenty-Seventh Omnibus Objection to Claims (Borrower Claims with Insufficient Documentation) [Docket No. 4735] (collectively, the "Objections"). In support of the Reply, the Debtors submit the Supplemental Declaration of Deanna Horst, ResCap's Senior Director of Claims Management, annexed hereto as Exhibit 3 (the "Supplemental Declaration"). In furthe support hereof, the Debtors respectfully state as follows:

### **PRELIMINARY STATEMENT**

- 1. The Debtors have examined each of the Responses and the statements an exhibits submitted in support thereof. Exhibit 1 contains a summary of each Claimant' Response, detailing the additional documentation and information provided in support of eac claim at issue. Copies of the claims that are at issue in the Responses are attached hereto a Exhibit 2.
- 2. If an objection refuting at least one of the claim's essential allegations is asserted, the claimant has the burden to demonstrate the validity of the claim. See In re Oneid Ltd., 400 B.R. 384, 389 (Bankr. S.D.N.Y. 2009); In re Rockefeller Ctr. Props., 272 B.R. 524, 53 (Bankr. S.D.N.Y. 2000). The burden of persuasion is on the holder of a proof of claim t establish a valid claim against a debtor. Feinberg v. Bank of N.Y. (In re Feinberg), 442 B.F 215, 220-22 (Bankr. S.D.N.Y. 2010). Each Claimant has failed to provide sufficient documentation in support of its claim or any other explanation as to why its claim represents ny-1108650

valid claim that should be allowed against the Debtors. Accordingly, the relief sought in the Objections should be granted with respect to the Claimants.

#### **BACKGROUND**

- 3. In connection with the claims reconciliation process, the Debtors identified certain claims filed by Borrowers<sup>1</sup> that either (i) fail to identify the amount of the claim and the basis for the claim or (ii) identify the claim amount but do not provide any explanation or attach any supporting documentation to substantiate the basis for the claim amount (together, the "Insufficient Documentation Claims").
- 4. After consulting with SilvermanAcampora LLP, special borrowers' counsel to the official committee of unsecured creditors ("Special Counsel"), the Debtors sent Request Letters to the Borrowers who filed the Insufficient Documentation Claims requesting additional documentation in support of such claims. The Request Letters state that the Claimant must respond within 30 days with an explanation that states the legal and factual reasons why the Claimant believes it is owed money or is entitled to other relief from the Debtors, and the Claimant must provide copies of any and all documentation that the Claimant believes supports the basis for its claim. The Request Letters further state that if the Claimant does not provide the requested explanation and supporting documentation within 30 days, the Debtors may file a formal objection to the Claimant's claim, seeking to have the claim disallowed and permanently expunged.
- 5. The Debtors did not receive any response to the Request Letters from the holders of the Insufficient Documentation Claims (including the Claimants) after the 30-day

<sup>&</sup>lt;sup>1</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in each Objection.

response deadline passed. Accordingly, on August 16, 2013, the Debtors filed the Objections to the Insufficient Documentation Claims.

6. After the Debtors filed the Objections, each of the Claimants submitted a Response, as summarized on Exhibit 1 annexed hereto.

### REPLY

7. Bankruptcy Rule 3001(c)(1) instructs that:

[w]hen a claim, or an interest in property of the debtor securing the claim, is based on a writing, the original or a duplicate shall be filed with the proof of claim. If the writing has been lost or destroyed, a statement of the circumstances of the loss or destruction shall be filed with the claim.

Fed. R. Bankr. P. 3001(c)(1).

- Bankruptcy Rule 3001(c), it is not entitled to prima facie validity. See Ashford v. Consolidated Pioneer Mortg. (In re Consolidated Pioneer Mortg.), 178 B.R. 222, 226 (9th Cir. B.A.P. 1995), aff'd, 91 F.3d 151 (9th Cir. 1996); In re Minbatiwalla, 424 B.R. 104, 112 (Bankr. S.D.N.Y. 2010) (J. Glenn). Moreover, where creditors fail to provide adequate documentation supporting the validity of their claims consistent with Bankruptcy Rule 3001(c), courts in this Circuit have held that such claims can be disallowed. See Minbatiwalla, 424 B.R. at 119 (determining that "in certain circumstances, claims can be disallowed for failure to support the claim with sufficient evidence . . . because absent adequate documentation, the proof of claim is not sufficient for the objector to concede the validity of a claim."); In re Porter, 374 B.R. 471, 480 (Bankr. D. Conn. 2007); see also Feinberg, 442 B.R. at 220-22 (applying Minbatiwalla to analysis).
- 9. Upon review of the Responses, the Debtors have determined that each of the Responses detailed in Exhibit 1 fails to provide sufficient documentation to support the

12-12020-mg Doc 5235 Filed 09/26/13 Entered 09/30/13 10:50:48 Main Document 12-12020-mg Doc 5130 Filed 09/20/19 £ntered 09/20/13 11:33:08 Main Document Pg 5 of 5

validity of the respective claim. Accordingly, the Insufficient Documentation Claims to which the Responses apply should be disallowed and expunged.

### **CONCLUSION**

10. WHEREFORE, the Debtors respectfully submit that the relief sought in the Objections should be granted.

Dated: September 20, 2013 New York, New York

/s/ Norman S. Rosenbaum
Gary S. Lee
Norman S. Rosenbaum
Jordan A. Wishnew
Jonathan M. Petts
MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, New York 10104
Telephone: (212) 468-8000
Facsimile: (212) 468-7900

Counsel for the Debtors and Debtors in Possession valid claim that should be allowed against the Debtors. Accordingly, the relief sought in the Objections should be granted with respect to the Claimants.

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- 5. The Debtors did not receive any response to the Request Letters from the holders of the Insufficient Documentation Claims (including the Claimants) after the 30-day

<sup>&</sup>lt;sup>1</sup> Capitalized terms not defined herein shall have the meanings ascribed to them in each Objection.

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Fed. R. Bankr. P. 3001(c)(1).

- 8. If a claim fails to comply with the documentation requirements of Bankruptcy Rule 3001(c), it is not entitled to prima facie validity. See Ashford v. Consolidated Pioneer Mortg. (In re Consolidated Pioneer Mortg.), 178 B.R. 222, 226 (9th Cir. B.A.P. 1995), aff'd, 91 F.3d 151 (9th Cir. 1996); In re Minbatiwalla, 424 B.R. 104, 112 (Bankr. S.D.N.Y. 2010) (J. Glenn). Moreover, where creditors fail to provide adequate documentation supporting the validity of their claims consistent with Bankruptcy Rule 3001(c), courts in this Circuit have held that such claims can be disallowed. See Minbatiwalla, 424 B.R. at 119 (determining that "in certain circumstances, claims can be disallowed for failure to support the claim with sufficient evidence . . . because absent adequate documentation, the proof of claim is not sufficient for the objector to concede the validity of a claim."); In re Porter, 374 B.R. 471, 480 (Bankr. D. Conn. 2007); see also Feinberg, 442 B.R. at 220-22 (applying Minbatiwalla to analysis).
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Dated: September 20, 2013 New York, New York

/s/ Norman S. Rosenbaum
Gary S. Lee
Norman S. Rosenbaum
Jordan A. Wishnew
Jonathan M. Petts
MORRISON & FOERSTER LLP
1290 Avenue of the Americas
New York, New York 10104
Telephone: (212) 468-8000
Facsimile: (212) 468-7900

Counsel for the Debtors and Debtors in Possession

September 23, 2013

Morrison & Foerster CP 1290 Avenue of the Americas New York, New York 10/04

Attn: Gary S. Lee Jordan A. Wishnew Jorathan M. Petts

Ref. Residential Capital UC et al Case No. 12-12020 (Mq) Chapter 11

Debtons' Omnibus Reply In Support
of Debtons' Twenty - Sixth And TwentySeventh Omnibus claims Objections
To Borrower Claims Claims Objections
With Insufficient Documentation
Filed 9/20/2013

Proof of clarin # 2869, 2872 +2874 Docket # 4918

Please see attached letter from claimants, a-mail

print out from Res Cap/claims hargement to copies of documents sent to Minnesota:

Recorded casies of the Deed of Trust, Rider who were sent with these docs. Hey received them on June 19, 2013.

All these copies of documents including the copies of the recorded Deed of Trusts.

Riders and Note were all part to Res | Cap, claims hanginent, Bloomington Minnesota via Express hail. We have receipt from the Post office.

Confirmation thru e-mail was received on 6/19/2013. Copy of the print out of the e-mail is attacked.

We responded to provided the allihord documents to suffice our proof of claims before 6/20/13. This is within the time frame given to no. Thank you very much.

Ferals R. Dancin

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**Gmail** 

COMPOSE

AAG.com - Are You Age 62 Or Older? - How Does Reverse Mortgage Work? Ge

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Important

Sent Mail

Drafts (1)

More

Search people...

dana.borg

William Howard

ResCap - Claims 2874, 2872, & 2869

Inbox

Claims Management < Claims. Management@gmacrescap.com>

Images are not displayed.

Display images below - Always display images from Claims.Management@c

Per your request, please be advised that we received the documents yo Documents recd Wednesday June 19, 2013

in such case, you should destroy this message and kindly notify the sender by reply email.

the three claims referenced above.

Thank you.

O NG

Claims Management

Residential Capital, LLC P. O. Box 385220 Bloomington, Minnesota 55438 Fax - 866-501-6436

Claims.Management@gmacrescap.com

The information contained in this communication is confidential and intended only for the inc not the addressee indicated in this message (or an agent responsible for delivery of the messahave received this communication in error and that any review, dissemination, copying or una

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# RESCAP

MORRISON | FOERSTER

## **Claim Information**

Claim Number	2874
Basis of Claim	
Explanation that states the legal and factual reasons why you believe you are owed money or are entitled to other relief from one of the Debtors as of May 14, 2012 (the date the Debtors filed their bankruptcy cases) and, you must provide copies of any and all documentation that you believe supports the basis for your claim.	GMAC Mortgage originated and serviced the loan.

If your claim relates to a mortgage loan that you believe was originated or serviced by one of the Debtors, please be sure to include the following loan information, so that we can effectively search our records for information on your property and loan, and evaluate your claim.

Loan Number:		
06545	16479	
Address of property related to th	• • •	
4585 Pacific		
San Diego	State:	ZIP Code:
July 101290	_ CA	92154

Additional resources may be found at - http://www.kccllc.net/rescap

0732

Telephone number:

Penalty for presenting fraudulent claim: Fine of up to \$500,000

2 to woulded (Onlera) Form (0) (12	•		Clair	m #2874 Date Filed: 11/7/20
Name of Debtor and Case Number:	Y COURT FOR	THE SOUTHER	N DISTRICT OF NEW YORK	PROOF OF CLAIM
and case (vulltoe).	RESIDENT	JAI CACIT	Ni lin it it Oak il	C 1 2
case. A "request" for pa	vment of on administration	to the same of the same	corner man a claim asserted under 11 U.S.C. § 503(b)(	(9)) arising after the commencement of the
name of Creditor (the person or other	entity to whom the debte	of owes money of proper	tell	ea pursuum jo 11 O.S.C. \$ 503.
Lenain	da K. Val	encia +	Notando Hi telema	Check this box if this claim amends a previously filed
Traine and address where notices show	ld be sent			claim.
Zena	ida R. Va do H. Valci Pacific P Pacific P	lenaa		Court Claim 2 0/2//
Kolichi	as H. Valci	114		Court Claim 2874 Number: (If known) 11/7/20/2 Filed on:
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Telephone number: / (a)(i) e	70 - 06917	.~1. ° Y	ara in the state of	Check this box if you are aware
Telephone number: (6/17) v Name and address where payment sho	uld be sent (if different fr	om above):	ill Beneidaryalmanagnail.	that anyone else has filed a proof of claim relating to this claim.
			The Date Ota-way 10 and 1	
Sam	e As Abo	21/0	Date Stamped Copy Returned	SS-Monticulus
Telephone number:	, , , , , , , ,	•	☐ No self addressed stamped enve	000 5. Amount of Claim Entitled to
		ema	No copy to return	Priority under 11 U.S.C.
1. Amount of Claim as of Date Cas	se Filed: \$ 260.	308,94	•	§507(a). If any part of the claim falls into one of the following
in an or part of the claim is secured, c	complete item 4.			categories, check the box
If all or part of the claim is entitled to	priority, complete item 5	i.		specifying the priority and state the amount.
interest or charges.	s interest or other charges	s in addition to the princ	ipal amount of the claim. Attach a statement that itemiz	res
2. Basis for Claim: 11 + +	acce Note			Domestic support obligations under 11 U.S.C.
(See instruction #2)	1.00	( -000	n# 0654516499)	§507(a)(1)(A) or (a)(1)(B).
3. Last four digits of any number by	3a. Debtor may have s	chadulad association		☐ Wages, salaries, or
which creditor identifies debtor:	1/	/A	3b. Uniform Claim Identifier (optional):	commissions (up to \$11,725*) earned within 180 days before
6479	(See instruction #3a)	/1	N'A	the case was filed or the
	(544 moracular #34)		(See instruction #3b)	debtor's business ceased, whichever is earlier 11
L Secured Claim (See instruction #4) Theck the appropriate box if the claim is	s secured by a line and		-	U.S.C. §507 (a)(4).
equested information.	, secured by a nen on pro	perty or a right of setoff,	attach required reducted documents, and provide the	☐ Contributions to an employee
lature of property or right of setoff: (	Real Estate (TMotor V	'chicle □Other		benefit plan – 11 U.S.C. §507 (a)(5).
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alue of Property: \$ 458, 400	Annual Interest Rate	<u>5,125</u> % x	Fixed 🗇 Variable	toward purchase, lease, or
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any: \$_ N/A	The same same chief wa	is men, included in sec	on: Promissory Note Murry ye had Dead of I must (recorded)	household use 11 U.S.C.
		Basis for perfecti	Dood of the Marie of	/
mount of Secured Claim; 5 260	,308,949er	Amount Unsecur	Vexa of Thust (recorded)	G Taxes or penalties owed to governmental units - 11U.S.C.
Claim Pursuant to 11 U.S.C. § 503(b)(9		Amount Cusecul	red: 3	§507 (a)(8).
HEERE INCOMORDE OF WAVE of size and in C.		provived by the Dabes	thin 20 days before May 14, 2012, the date of	☐ Other - Specify applicable
immencement of the above case, in which apporting such claim.	the goods have been sold in	o the Debtor in the ordinal	thin 20 days before May 14, 2012, the date of ry course of such Debtor's business. Attach documentation	paragraph of 11 U.S.C. §507 (a)().
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Credits. The amount of all payments o	n this claim has been cree	lited for the purpose of a	making this proof of claim. (See instruction #7)	Amount entitled to priority:
mixed statements of comming agreement	pies of any documents the	at support the claim, suc	h as promissory notes, purchase orders, invoices	┥,
mpleted, and reducted copies of docum	ients providing evidence	agages, and security agr of perfection of a securi	h as promissory notes, purchase orders, invoices, ecements. If the claim is secured, box 4 has been by interest are attached. (See instruction 48, and the	•
				* Amounts are subject to
O NOT SEND ORIGINAL DOCUMEN the documents are not available, please	119: ATTACHED DOCU	IMENTS MAY BE DES	STROYED AFTER SCANNING.	adjustment on 4/1/13 and every 3 years thereafter with respect
and describents are not available, please	explain;	<del></del> _		to cuses commenced on or
Signature: (See instruction #9) Check to	he appropriate box.			after the date of adjustment.
Fam mo citalit	or's authorized agent over of attorney, if any )	Tham the trustee,	or the debtor, or TT am a guarantor, surety.	
		their authorized age (See Bankruptcy R	nt indorser, or other codebtor	
eclare under penalty of perjury that the	information provided in t	his claim to true and		
n Name: RSCANDA R	MACNOIN	Zuna de	to Water Car Hilleria	DECEMPS.
ic.	7	Columb II	Cikucia 11-512	RECEIVED
		Signature)		NOV 0 7 9046
dress and telephone number (if different	t from notice address above	ve):	(Date)	NOV 0 7 2012
enhone number				KURTZMAN CARSON CONSULTANT:

COURT USE ONLY

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Rolands H. talanca
if 585 Pacific Priviera tray
San Viego, CA 97154

SUMMARY

Loan # 06545/6479

Rate As OF May 14,2012 - 5.125% Rate is fixed.

Principal Balance As of hay 14, 2012 -\$ 260, 308.99

Residential Capital, LLC c/o KCC 2335 Alaska Ave El Segundo, CA 90245 PRF # 58316\*\*\*

000327

Case No.: 12-12020 SvI 2

PackID: 327 NameID: 11079809

Zenaida R. Valencia & Rolando H. Valencia 4585 Pacific Riviera Way San Diego, CA 92154

> Please see attacked 
> Completed claim Information
>
> Copy of Recorded Reed of Trust
>
> Copy of Note \* Rate on Note is 5.000%.
>
> TIL (Truth In Lending) +
>
> GMAC Mortgage Account honthly Statemen

3/13) checked Note Rate again.

Ft's correct 5.127%.

Elmider, there

### GMAC Mortgage Account Statement

**CUSTOMER INFORMATION** 

Zenaida R. Valencia

Rolando H. Valencia

**Account Number:** Home Phone #:

Name:

0654516479 (619)710-0697

**PROPERTY ADDRESS** 

4585 PACIFIC RIVERA WAY **SAN DIEGO** 

CA 92154

Visit us at www.gmacmortgage.com for account information or to apply on-line.

02/11/10 11:00 3 0000139 20120510 LE107102 GMREG 2 OZ DOM LE10710000\* 146318 GM

<sup>-</sup>||կ<u>ֈֈֈ|</u>|ոդրի<sup>||</sup>||կեմ||կեմ||գերիկ||եվուիմ||Ալորիկ|որ

ZENAIDA R. VALENCIA — 4 ROLANDO H. VALENCIA — 4 4585 PACIFIC RIVIERA WAY SAN DIEGO CA 92154-4821



For information about your existing account, please call: 1-800-766-4622.

For information about refinancing or obtaining a new loan, please call: 1-866-690-8322

Please verify your mailing address, borrower and co borrower information. Make-ner ry corrections on this portion of the statement, detach and mail to address listed for Inquiries on the reverse side.

Account Informat	tion	Details of Amount I	Due/Paid
Account Number	0654516479	Principal and Interest	\$1,742.36
Statement Date	May 09, 2012	Subsidy/Buydown	\$0.00
Maturity Date	-	Escrow	\$471.23
·	May 01, 2033	Amount Past Due	\$0.00
Interest Rate	5.12500	Outstanding Late Charges	\$0.00
Interest Paid Year-to-Date	\$5,598.69	Other	\$0.00
Taxes Paid Year-to-Date	\$2,270.39	Total Amount Due	\$2,213.59
Escrow Balance	\$1,413.71	Account Due Date	June 01, 2012
Principal Balance(PB)*	\$260,308.94	,	

For Customer Care inquiries call: 1-800-766-4622 For Insurance inquiries call: 1-800-256-9962 For Payment Arrangements call: 1-800-850-4622

			Account Ac	ctivity Sin	ce Last Sta	tement	1012		
Description	Pmt Date	Tran. Date	Tran, Total	. Principal	Interest	Escrow	Add'l Products	_Late Charge	Other
Payment	05/01/12	05/09/12	\$2,213.59	\$627.94	\$1,114.42			<b>4</b> .7	-
A						_			

\*This is your Principal Balance only, not the amount required to pay the loan in full. For payoff figures and mailing instructions, call the Customer Care number above or you may obtain necessary payoff figures through our automated system (24 hours a day, 7 days a week). See back for automatic payment sign-up information and other payment options.

### Important News

Now is a great time to buy a home! If you're in the market for your next home, our trained loan agents will help you review all of the financing ontions available to you - call 877-528-3817 today! 0138

Telephone number:

Penalty for presenting fraudulent claim: Fine of up to \$500,(

B 10 Modified (Official Form 10) (12/11)	)
UNITED STATES BANKRUPTCY	
Name of Debtor and Case Number: 12	

COURT USE ONLY

	INTER STATES BANKBURGEN COVERT FOR THE SO		2009 Date Filed: 11/7/20
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Name of Credits (the persons or acted cutify to whom the debted week assays or property)  The Anniel of the Williams of the Williams of the Color of the Williams of the Color of the Williams of the Williams of the Color of the Williams of the Williams of the Color of the Williams of	NOTE: This form should not be used to make a claim for an administrative expense of	LLC, et GL, Case No. 1	12-12020 (MG)
Name and address where notice adouble next.    Control of the Cont	case. A "request" for payment of an administrative expense (other than a c	nner inan a ciaim asserted under 11 U.S.C. § 503(b)(9)) a ciaim asserted under 11 U.S.C. § 503(b)(9)) may he filed p	vising after the commencement of the ursuant to 11 U.S.C § 503.
Called Control	(are person of other entity to whom the debtor owes money or property	v).	Check this box if this claim
Telephone number:  Telephone num	Name and address where notices should be cost	thie H. Vaknaa	1
Number: Let 9 1/10 - 0.6 ptf.  Name and address where payelinet should be sent (if different from above).  Amount of Claim as of Date Case Fileds. \$	Zenaida R. Valenca		
Telephone number:    Date Stamped Copy Returned   No. Self addressed stamped envelope   No. Self addressed   No. S	Rolanda H. Valencia		
Telephone number:    Date Stamped Copy Returned   No. Self addressed stamped envelope   No. Self addressed   No. S	4585 TaciCi Riving Like	.ui	(If known)
Telephone number:    Date Stamped Copy Returned   No. Self addressed stamped envelope   No. Self addressed   No. S	Jak Diego. Of 92154	1	Filed on:
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Telephone number:    Committed   No self addressed stamped envelope   No copy to return   No co	Name and address where payment should be sent (if different from above);	Exhaut vatencial gini, lis	of claim relating to this claim.
No self addressed stamped envelope   No copy to return   No copy		Mit Date Stamped Conv Returned	Attach copy of statement giving
1. Amount of Claim as of Date Case Fields \$	Dame As Above	TI No self addressed stamped cavalan	particulars.
1. Amount of Claim as of Date Case Filed: \$ \[ \] \[ \	Telephone number:	The conductoreture	The state of the s
Find or part of the claim is exerted, complete item 5.   Check this took if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that item item interest or charges.   Complete item 5.   Check this took if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that item item interest or charges.   Complete item 5.   Complete it		The copy to termit	§507(a). If any part of the claim
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Check this box if the claim includes interest or charges.  2. Basis for Claim:  (See instruction #2)  3. Last four digits of any number by which creditor identifies debtor:  (See instruction #2)  3. Last four digits of any number by which creditor identifies debtor:  (See instruction #2)  3. Last four digits of any number by which creditor identifies debtor:  (See instruction #2)  4. Secured Claim: (See instruction #2)  (See instruction #2)  4. Secured Claim: (See instruction #2)  (See instruction #2)  4. Secured Claim: (See instruction #2)  (When case was filled of the debtor's business cased, which exposes have was filled)  (when case was filled)  (when	If all or part of the claim is secured, complete item 4.		specifying the priority and state
2. Basis for Claim:  (See instruction #23)  3a. Debtor may have scheduled account as:  (See instruction #23)  3a. Debtor may have scheduled account as:  (See instruction #23)  3b. Uniform Claim Identifier (optional):  (See instruction #23)  4. Secured Claim (See instruction #23)  4. Secured Claim (See instruction #23)  4. Secured Claim (See instruction #23)  5. Debtor may have scheduled account as:  (See instruction #23)  6. Claim function for a secured plan in secured by a lien on property or a right of setoff, attach required reducted documents, and provide the received information.  Amount of arrearage and other charges, as of the time case was filed, included in secured claim,  (when case was filed,  (which we case was filed,  (whi	Check this box if the claim includes interest or other charges in addition to the principal	pal amount of the claim. Attach a statement that itemizes	
(See instruction #2)  3. Last four digits of any number by which creditor is identified debtor:    See instruction #3			
3. Last four digits of any number by which creditor it leastlifes delator:    A. Secured Claim (See instruction #4)		14 065 4306502)	
which creditor idealifies debtor:    A. Secured Claim (See instruction #3a)   (See instruction #3b)	3. Last four digits of any number by 3a. Debtor may baye school blad account.		7
debtor's business ceased, whichever is carifer -11 U.S.C. \$507 (8/4).  Cheak the appropriate box if the claim is secured by a lien on property or a right of setoff; attach required redacted documents, and provide the requested information.  Nature of property or right of setoff: Efficial Estate Omotor Vehicle Other  Value of Property: \$\frac{1}{2}\frac{3}{2}\frac{3}{2}\frac{5}{2}\frac{5}{2}\frac{3}{2}\frac{5}{2}\frac{5}{2}\frac{5}{2}\frac{7}{2}\frac{3}{2}\frac{5}{2}\frac{5}{2}\frac{7}{2}\frac{3}{2}\frac{5}{2}\frac{5}{2}\frac{7}{2}\frac{3}{2}\frac{5}{2}\frac{7}{2}\fr	which creditor identifies debtor:	35. Uniterm Claim Identifier (optional):	earned within 180 days before
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.  Nature of property or right of setoff: Efficial Estate O'Motor Vehicle O'Other  Describe:  (when case was filed) Amount of arrearage and other charges, as of the time case was filed, included in secured claim.  Basis for perfection:  (when case was filed) Amount Unsecured: \$  Amount of Secured Claim: \$  (See instruction #7)  Charles The amount of your claim arising from the value of any goods received by the Debtor within 20 days before May 14, 2012, the date of commencement of the above case, in which the goods have been said to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.  (See instruction #8)  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  I am the traction:  (See instruction #9) Check the appropriate box.  (Attach copy of power of attorney, if any)  (Signature)  (	6 5 0 2 (See instruction #3a)	(See instruction #3b)	
Check the uppropriate box if the claim is secured by a lien on property or a right of setoff, attach required reducted documents, and provide the contributions to an employee breefit plan-11 U.S.C. § 500 (D.S.C.)  Nature of property or right of setoff: O'Real Estate O'Motor Vehicle O'Other  Describe:  Amount of arrearage and other charges, as of the time case was filed, included in secured claim, when case was filed in secured claim, and other charges, as of the time case was filed, included in secured claim, and other charges, as of the time case was filed, included in secured claim, and other charges, as of the time case was filed, included in secured claim, and other charges, as of the time case was filed, included in secured claim, and the company of the claim is completed. The company of the claim is composed to commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.  S. Documents: Attached are reducted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, completed, and reducted copies of documents providing evidence of perfection of a casturity interest are attached. (See instruction #8, and the diplation of "reducted".)  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  I clear under penalty of perjury that the information provided in this claim is understood agent. (Attach copy of power of attomey, if any).  Their authorized agent. (See instruction #9, 1 any).  Their authorized agent. (Attach copy of power of attomey, if any).  Their authorized agent. (See Bankruptcy Rule 3005.)  Geo Bankruptcy Rule 3005	4. Secured Claim (See instruction #4)	( (cot instantion 130)	whichever is earlier - 11
Nature of property or right of setoff: #Real Estate OMotor Vehicle OOther    Value of Property: \$\left[29] 385.0\times Amount Interest Rate \( \frac{5}{2} \) ## OFixed OVariable (when case was filed)   Amount of arrearsge and other charges, as of the time case was filed, included in secured claim,   If any: \$\frac{5}{2} \] ## OF ixed OVariable     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVariable     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVariable     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount Of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Claim: \$\frac{1}{2} \] ## OF ixed OVARIANT     Amount of Secured Complex of Secured Control of the purpose of making this proof of claim. (See instruction ### OF ixed OVARIANT     A	Check the appropriate box if the claim is secured by a lien on property or a right of setoff.	attach required redacted documents, and provide the	☐ Contributions to an employee
Describe:  Value of Property: \$\( \) \( \)	Nature of property or right of setoff: GReal Estate O Motor Vehicle OOther		
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Amount of arrearage and other charges, as of the time case was filed, included in secured claim,    Basis for perfection:	(when case was filed)		rental of property or services
Basis for perfection: White Script Note   Maday   Sort (a)(7).  Amount Unsecured: \$   Manual Unsecured: \$   Ma	Amount of arrearage and other charges, as of the time case was filed, included in sec	cured claim,	
Amount of Secured Claim: \$\frac{12.1.257.49}{2.577.49}\$ Amount Unsecured: \$\frac{12.572.49}{2.577.49}\$ Amount Oursecured: \$\frac{12.572.49}{2.577.49}\$ Amount of Secured: \$\frac{12.572.49}{2.577.49}\$ Amount of Security applicable paragraph of \$11.0.5.0.\$ \$507 (a)(8). \$\frac{12.572.49}{2.577.49}\$ Cheir such of the Order of Security and Security applicable paragraph of \$11.0.5.0.\$ \$507 (a)(8). \$\frac{12.572.49}{2.577.49}\$ Amount of Security applicable paragraph of \$11.0.5.0.\$ \$507 (a)(8). \$\frac{12.572.49}{2.577.49}\$ Amount of Security applicable paragraph of \$11.0.5.0.\$ \$507 (a)(8). \$\frac{12.572.49}{2.577.49}\$ Amount of Security applicable paragraph of \$11.0.5.0.\$ \$507 (a)(8). \$\frac{12.572.49}{2.577.49}\$ Amount of Security applicable paragraph of \$11.0.5.0.\$ \$\frac{12.572.49}{2.577.49}\$ Amount of Security applicable paragraph of \$11.0.5.0.\$	if any: \$ Basis for perfection	on: Promissory Note/ Mortguje Account	
6. Claim Pursuant to 11 U.S.C. § 503(b)(9): Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before May 14, 2012, the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.  7. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #7)  8. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #8, and the defaultion of "redacted")  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:  9. Signature: (See instruction #9) Check the appropriate box.  If am the creditor's authorized agent.  (Attach copy of power of attorney, if any.)  If declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.  The print Name:    Company:		Fred of Trust (recom Hatement	ſ ·
indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before May 14, 2012, the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim.  7. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #7)  8. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, completed, and redacted copies of documents providing evidence of perfection of a security agreements. If the claim is secured, box 4 has been definition of "reducted".)  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:  9. Signature: (See instruction #9) Check the appropriate box.  If am the creditor.  O I am the creditor's authorized agent.  (Attach copy of power of attorney, if any)  their authorized agent.  (See Bankruptcy Rult 3004.)  (See Bankruptcy Rult 3004.)  (See Bankruptcy Rult 3005.)  RECEIVED  NOV 0 7 2012  **WIZMAN CARSON CONSUITANTS**	Timount otsetal	red: \$ /V/AY (GA)	0.604 ( )(0)
Supporting such claim.  S	Indicate the amount of your claim arising from the value of our goods and the		
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S. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been definition of "reducted".)  DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.  If the documents are not available, please explain:  9. Signature: (See instruction #9) Check the appropriate box.  1 am the creditor.	7. Credits. The amount of all payments on this claim has been credited for the purpose of r	making this proof of claim. (See instruction #7)	
**Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.  **DI am the creditor's authorized agent. (Attach copy of power of attorney, if any.)  **I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief. **ZF L/A IDA B.** VALENCIA*** **The Company.** (Signature)  **Company.** (Signature)  **Amounts are subject to adjustment of adjustment of adjustment of all and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.  **DI am the creditor's authorized agent. (Attach copy of power of attorney, if any.) (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.)  **I am the creditor's authorized agent. (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.)  **I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief. **ZF L/A IDA B.** VALENCIA** **VALENCIA**	8. Documents: Attached are redacted copies of any documents that support the claim, such the interior statements of running accounts, contracts, indements, marked and the claim, such that is the contracts of the claim, such that is the contracts of the claim, such that is the claim, and the claim, such that is the claim, such that is the claim, and the claim, such that is the claim, and the	th as promissory notes, purchase orders, invoices,	\$
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9. Signature: (See instruction #9) Check the appropriate box.  10 I am the creditor.  11 I am the creditor's authorized agent. (Attach copy of power of attorney, if any.)  12 I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.  12 I ALANDO H. VALENCIA  13 I am the trustee, or the debtor, or O1 am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.) (See Bankruptcy Rule 3005.)  14 I am the creditor. (See Bankruptcy Rule 3005.)  15 I am the trustee, or the debtor, or O1 am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)  16 I am the trustee, or the debtor, or O1 am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)  17 I am the trustee, or the debtor, or O1 am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)  18 I am the creditor. (See Bankruptcy Rule 3005.)  19 I am the trustee, or the debtor, or O1 am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)  18 I am the creditor. (See Bankruptcy Rule 3005.)  19 I am the trustee, or the debtor, or O1 am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)  10 I am the creditor. (See Bankruptcy Rule 3005.)  11 I am the trustee, or the debtor, or O1 am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)  10 I am the creditor.  11 I am the creditor.  12 I am the creditor. (See Bankruptcy Rule 3005.)  12 I am the creditor. (See Bankruptcy Rule 3005.)  13 I am the creditor. (See Bankruptcy Rule 3005.)  14 I am the creditor. (See Bankruptcy Rule 3005.)  16 I am the creditor. (See Bankruptcy Rule 3005.)  18 I am the creditor. (See Bankruptcy Rule 3005.)  18 I am the creditor. (See Bankruptcy Rule 3005.)  19 I am the creditor. (See Bankruptcy Rule 3005.)  10 I am the creditor. (See Bankruptcy Rule 3005.)  10 I am the creditor. (See Bankruptcy Rule 3005.)  11 I am the creditor. (Se	If the documents are not available, please explain:	STRUTED AFTER SCANNING.	
That the creditor. Of a most the creditor's authorized agent. (Attach copy of power of attorney, if any.)  I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.  The print Name:  The pr			
I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.    Company:   (Signature)   (Signature)   (Date)	If I am the creditor. I am the creditor's authorized agent.	or the debtor or CFL am a grammter curety	
Tabeliate under genalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief. ZFL/AIDA R. VALENCHA Perint Name: ROLLING H. VALENCHA Perint Name: ROLLING H. VALENCHA Perint Name: ROLLING H. VALENCHA PERINT H. VALE	(Astraca copy or power of attorney, if any.) their authorized age	ent, indorser, or other codebtor.	
Print Name: ROLANDO H. VALGNEM ROLLING H. VALGNEM 11/5/12 Title: Rolling H. Walgnem 11/5/12 Company: (Signature) Address and telephone number (if different from notice address above):  WRIZMAN CARSON CONSULTANTS	I declare under penalty of parious sharety in a	Rule 3004.) (See Bankruptcy Rule 3005.)	
Company: (Signature) (Date)  Address and telephone number (if different from notice address above):  WRIZMAN CARSON CONSULTANTS	Ly MILLION FLED COT Same 1	2 m (1) + cel / 11/12/12 1	DPAPH (PO
Company: (Signature) Address and telephone number (if different from notice address above):  VOV p 7 2012  VURIZMAN CARSON CONSULTANTS	Title: Bolique to	the Colorano 111-1:	RELEIVEU
Address and telephone number (if different from notice address above):  URIZMAN CARSON CONSULTANTS	Company:(Signature)		NOV a 7 2019
YURTZMAN CARSON CONSULTANTIX	routess and telephone number (if different from notice address above):	, , ,	
	Tologham	XI	URTZMAN CARSON CONSULTANTS:

Rolando H. Calonaá
4585 Pacific Riviera Way
San Diego, A 92159

Filed 09/26/13 Entered 09/30/13 10:50:48. Main Dochment #2869
Pg 21 of 27

Property Hadress:

2356 Tocayo Avenue, 106
San Diego, A 92159

SUMMARY

Loan# 06543 06502

Rate As of May 14, 2012 - 5.875 %

Rate is fixed.

Principal Balance As of May 14,2012 -\$127,257.19

# RESCAP

MORRISON

FOERSTER

### **Claim Information**

Claim Number	2869
Basis of Claim	
Explanation that states the legal and factual reasons why you believe you are owed money or are entitled to other relief from one of the Debtors as of May 14, 2012 (the date the Debtors filed their bankruptcy cases) and, you must provide copies of any and all documentation that you believe supports the basis for your claim.	and serviced the loan.

If your claim relates to a mortgage loan that you believe was originated or serviced by one of the Debtors, please be sure to include the following loan information, so that we can effectively search our records for information on your property and loan, and evaluate your claim.

Loan Number: 06543	306502	
Address of property related to th	e above Ioan number:  Avenue, 106	
San Diago	State:	ZIP Code: 92154

Additional resources may be found at - http://www.kccllc.net/rescap

Residential Capital, LLC P.O. Box 385220 Bloomington, MN 55438

12-12020-mg Doc 5235 Filed 09/26/13 Entered 09/30/13 10:50:48 Main Document Pg 23 of 27

Residential Capital, LLC c/o KCC 2335 Alaska Ave El Segundo, CA 90245 PRF # 58316\*\*\* Case No.: 12-12020 Svl 2

000325

PackID: 325 NameID: 11079809

Zenaida R. Valencia & Rolando H. Valencia 4585 Pacific Riviera Way San Diego, CA 92154

> Please see Afriched-Completed Claim Information Copy of Recorded Deed of Trust Copy of Hote

Claim # 2872

Residential Capital, LLC c/o KCC 2335 Alaska Ave El Segundo, CA 90245

000356

PRF # 58316\*\*\* Case No.: 12-12020 Svl 2

PackID: 326 NameID: 11079809

Zenaida R. Valencia & Rolando H. Valencia 4585 Pacific Riviera Way San Diego, CA 92154

Please see attached

Completed claim Information

Copy of Recorded Deed of Trust

Copy of Note

# RESCAP

MORRISON

FOERSTER

### Claim Information

Claim Number	2872
Basis of Claim	
Explanation that states the legal and factual reasons why you believe you are owed money or are entitled to other relief from one of the Debtors as of May 14, 2012 (the date the Debtors filed their bankruptcy cases) and, you must provide copies of any and all documentation that you believe supports the basis for your claim.	GMAC Mortgage originated and permiad the loan,

If your claim relates to a mortgage loan that you believe was originated or serviced by one of the Debtors, please be sure to include the following loan information, so that we can effectively search our records for information on your property and loan, and evaluate your claim.

Loan I	Number: 0654 3 0	6880	
Addre	ess of property related to to	he above loan number:	
City:	San Diego	State:	ZIP Code: 92154

Additional resources may be found at - http://www.kccllc.net/rescap

Residential Capital, LLC P.O. Box 385220 Bloomington, MN 55438

0738

Telephone number:

Penalty for presenting fraudulent claim: Fine of up to \$500

B 10 Modified (Official Form 10) (12/11)	Claim #	2872 Date Filed: 11/7/20
UNITED STATES BANKRUPTCY COURT FOR THE SOUTHER	RN DISTRICT OF NEW YORK	
Name of Debtor and Case Number:		PROOF OF CLAIM
NOTE: This form should not be used to make a claim for an administrative expense case. A "request" for payment of an administrative expense (other than		40 (MG)
case. A "request" for payment of an administrative expense (other than Name of Creditor (the person or other entity to whom the debtor owes money or group	e (onner than a claim asserted under 11 U.S.C. § 503(b)(9)) a claim asserted under 11 U.S.C. § 503(b)(9)) mon be filed t	arising after the commencement of the
Name of Creditor (the person or other entity to whom the debtor owes money or prop	erty):	Check this box if this claim
Zenardh R. Valenan + Rola	amends a previously filed	
traine and address where notices should be sent:	claim.	
Zehanda R. Valence	Court Claim	
Rolando H. Valen		Number: 2872 (If known) 11/7/20/2
4585 Pa 11 Q1	(If known)	
#585 Far fie Riv	Filed on: 1/17/20/2	
	Check this box if you are awa	
Name and address where payment should be sent (if different from above):	that anyone else has filed a proof	
where payment should be sent (if different from above):	or craim relating to this ciaim.	
m. h. hi		Atlach copy of statement giving
Same As Abar		particulars.
Telephone number:	naif:	5. Amount of Claim Entitled to
		Priority under 11 U.S.C. §507(a). If any part of the clain
I. Amount of Claim as of Date Case Filed: \$ \[ \frac{1}{28} \] \[ \lambda \cdot \cdot \tau \]  If all or part of the claim is secured, complete item 4.	falls into one of the following	
If all or part of the claim is secured, complete item 4.	I) No coll addmand at the state of the state	categories, check the box
If all or part of the claim is entitled to priority, complete item 5.  Of the claim is claim included in the claim includes in the c	☐ No self addressed stamped envelope	specifying the priority and stat the amount.
O'Check this box if the claim includes interest or other charges in addition to the printerest or charges.	ncipal amount of the change which a statement that itemizes	
7 7		<ul> <li>Domestic support obligations under 11 U.S.C.</li> </ul>
(See instruction #2)	# 0654306880)	\$507(a)(1)(A) or (a)(1)(B).
3. Last four digits of any number by 3a. Debtor may have scheduled account and		O Wages, salaries, or
5. Last four digits of any number by Sa. Debtor may have scheduled account as:	3b. Uniform Chim Identifier (optional):	commissions (up to \$11,725*)
€ 8 8 0 (See instruction #3a)	N/A	earned within 180 days before the case was filed or the
	(See instruction #3b)	debtor's business ceased,
Secured Claim (See instruction #4)	whichever is earlier 11 U.S.C. §507 (a)(4).	
Check the appropriate box if the claim is secured by a lien on property or a right of seto: equested information.	Contributions to an employee	
	benefit plan 11 U.S.C. §507	
Nature of property or right of setoff: WReal Estate O'Motor Vehicle O'Other	(a)(5).	
Value of Property: \$ 259,000,00 Annual Interest Rate 5.875 %	☐ Up to \$2,600* of deposits	
(when case was filed)	Fixed OVariable	toward purchase, lease, or rental of property or services
mount of arrearage and other charges, as of the time case was filed, included in a	for personal, family, or	
	household use - 11 U.S.C.	
	Tead of thust most from	§507 (a)(7). ☐ Taxes or penalties owed to
mount of Secured Claim: \$ 172   60.67 Amount Unsecu	ured: S NA (Recorded)	governmental units - 11U.S.C.
Claim Pursuant to 11 U.S.C. § 503(b)(9):	§507 (a)(8).	
	Other – Specify applicable	
mmencement of the above case, in which the goods have been sold to the Debtor in the ordin pporting such claim.	paragraph of 11 U.S.C, §507 (a)().	
(San instruction HC)		(4)().
Credits. The amount of all payments on this claim has been credited for the purpose of	franking this C C	Amount entitled to priority:
Documents: Attached are redacted copies of any documents that support the claim, sumized statements of running accounts, contracts, judgments, mortgages, and security and sec	theorem are proof of claim. (See Instruction #7)	
mized statements of running accounts, contracts, judgments, mortgages, and security ampleted, and redacted copies of documents providing evidence of perfection of a securification of a s	greements. If the claim is secured, box 4 has been	\$
manon of reducted .)	my microst are attached. (See instruction #8, and the	* Amounts are subject to
) NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DE	adjustment on 4/1/13 and every	
the documents are not available, please explain:	3 years thereafter with respect	
Signature: (See instruction #9) Check the appropriate box.	to cases commenced on or	
am the creditor.		after the date of adjustment.
(Attach converted to the state of the state	e, or the debtor, or	
TO THE PARTY OF TH	gent. indorser, or other codebtor.	·
eclare under penalty of perjury that the information provided in this claim is true and co sonable belief. 25 NATOA R. VALENAA	percent to the hard of and to the total	
sonable belief. 28 NAIDA R. VALENCIA  TOLOWOOD H. VALENCIA  TOLOWOOD H. VALENCIA  TOLOWOOD H. VALENCIA	Papasan	
le: filosoft by the thorner	11/5/10-	RECEIVED
mpany:	11/5/15	· · · <del>-</del>
(Signature) dress and telephone number (if different from notice address above):	(Date)	NOV 0 7 2012
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ephone number.		KURTZMAN CARSON CUNSULTANTS

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COURT USE ONLY

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Rolando H. Valenca
4585 Pacific Rivina Way
San Diego, CA 92154

San Diego, CA 92154

SUMMARY

Loan # 0654306880
Rate As of May 14,2012 -- 5.875%
Rate is fixed.

Principal Balance As of May 14, 2012 -\$178,160.67